

REMARKS

Claims 1, 3-4, 7, 11, 14-15, 17, 19 and 23 have been amended. Claims 2, 6, 12-13, 16 and 20-22 have been cancelled. In this listing of claims, claim 1 has been amended to indicate that incoming calls are handled based on a specified criteria "by redirecting said incoming call to a designated extension within said designated zone if said incoming call meets said specified criteria, and redirecting said incoming call to an extension outside of said designated zone if said incoming call does not meet said specified criteria".

Claims 1-8, 11, 12, 16 and 17 have been rejected under 35 U.S.C. 102(e) as the Examiner asserts that these claims are anticipated by United States Patent No. 6,665,534 to Conklin.

In the new listing of claims, amended claim 1 now recites:

A method of controlling the delivery of an incoming call directed to a wireless communication device comprising the steps of:

determining generally the location of the wireless communication device to which said incoming call is directed;

if said wireless communication device is not within a designated zone, directing the incoming call to said wireless communication device; and

if said wireless communication device is in a designated zone handling said incoming call based on specified criteria by redirecting said incoming call to a designated extension within said designated zone if said incoming call meets said specified criteria, and redirecting said incoming call to an extension outside of said designated zone if said incoming call does not meet said specified criteria.

Thus, if the wireless communication device is not in a designated zone, the call is directed to the wireless communication device. If, however, the wireless communication device is within the designated zone, the call is directed to an extension, for example, a telephone set within the designated zone if the call meets a specific criteria. This allows the wireless communication device user to receive calls that are deemed important or that the user is awaiting receipt of. On the other hand, if the wireless communication device is within the designated zone, the call is directed to an extension outside of the zone. It is clear that a determination is first made as to the location of the wireless communication device and if so, the call is redirected

either to a phone within the zone or outside of the zone, based on specified criteria. Thus, less important calls do not interrupt or disturb the wireless communication device user.

United States Patent No. 6,665,534 to Conklin discloses a system that alerts a user of a wireless communication system of an incoming call based on priority. Conklin teaches a system that permits telephone calls to be directed to the cell phone (wireless communication device) when the user is inside a designated location when that telephone call meets some minimum priority. Otherwise, the telephone call is directed to another point to avoid disturbing the cell phone user.

In contrast with the present invention as claimed in amended claim 1, the call is only redirected to another point if the call does not meet the specified criteria (minimum priority). If the call meets the specified criteria (minimum priority), then the call is not redirected at all. Instead, the call is simply directed to the cell phone of the user. The Conklin reference completely fails to teach or suggest “directing said incoming call to a designated extension within said zone if the incoming call meets said specified criteria”, as recited in claim 1 of the present application.

Amended claim 11 includes similar limitations to those recited in amended claim 1 and accordingly, it is believed that claims 1 and 11 fully distinguish over the cited reference. Since the remainder of the rejected claims include all of the limitations of one of claims 1 and 11, it is believed that these claims also fully distinguish over the cited reference.

Claims 9, 10 and 18 to 21 have been rejected under 35 U.S.C. 103(a) as the Examiner asserts that these claims are unpatentable over Conklin et al. in view of United States Patent No. 6,608,559 to Lemelson.

United States Patent No. 6,608,559 to Lemelson teaches a system that includes means for determining a geographic location. Lemelson is completely devoid of any teaching of “if said wireless communication device is in a designated zone handling said incoming call based on specified criteria by redirecting said incoming call to a designated extension within said designated zone if said incoming call meets said specified criteria, and redirecting said incoming call to an extension outside of said designated zone if said incoming call does not meet said

specified criteria”, as recited in the claims of the present application. Thus, Lemelson fails to cure the deficiencies of the Conklin reference.

Accordingly it is believed that the amended claims fully distinguish over the Lemelson and Conklin references, both alone and when combined.

Claims 13-15 have been rejected under 35 U.S.C. 103(a) as the Examiner asserts that these claims are unpatentable over Conklin in view of United States Patent No. 5,970,388 to Will.

United States Patent No. 5,970,388 to Will discloses a system for rerouting a telephone call to another location near a person, when that person is not in their office (at some other location within the building). Will completely fails to teach or suggest “if said wireless communication device is in a designated zone handling said incoming call based on specified criteria by redirecting said incoming call to a designated extension within said designated zone if said incoming call meets said specified criteria, and redirecting said incoming call to an extension outside of said designated zone if said incoming call does not meet said specified criteria”, as recited in the claims of the present application. Thus, Will fails to cure the deficiencies of the Conklin reference.

Accordingly it is believed that the amended claims fully distinguish over the Will and Conklin references, both alone and when combined.

Finally, claims 22-23 have been rejected under 35 U.S.C. 103(a) as the Examiner asserts that these claims are unpatentable over Conklin in view of Lemelson and in view of Will. Since none of the cited references alone or in combination teach or suggest “if said wireless communication device is in a designated zone handling said incoming call based on specified criteria by redirecting said incoming call to a designated extension within said designated zone if said incoming call meets said specified criteria, and redirecting said incoming call to an extension outside of said designated zone if said incoming call does not meet said specified criteria”, as recited in the claims of the present application, it is believed that the amended claims fully distinguish over the cited references.

It is submitted that Conklin, alone or in combination with Lemelson and/or Will, fails to teach or suggest features of the claimed invention. Therefore, it is submitted that claims 1, 3-5, 7-11, 14-15, 17-19 and 23 are patentably distinct from Conklin, alone or in combination with Lemelson and/or Will. Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0388 (Order No. MITEP016).

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP



C. Douglass Thomas
Reg. No. 32,947

P.O. Box 70250
Oakland, CA 94612-0250
(650) 961-8300